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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/658,932	09/09/2003	David N. Ku	8537-3	3113

20792 7590 10/11/2006

MYERS BIGEL SIBLEY & SAJOVEC
PO BOX 37428
RALEIGH, NC 27627

EXAMINER

WILLSE, DAVID H

ART UNIT PAPER NUMBER

3738

DATE MAILED: 10/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.



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EXAMINER

ART UNIT	PAPER
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20061001

DATE MAILED:

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Commissioner for Patents

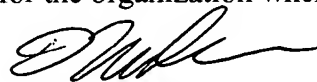
Dave Willse
Primary Examiner
Art Unit: 3738

The reply filed on July 27, 2006, is not fully responsive to the prior Office Action because of the following omissions or matters:

The amendments to the claims fail to comply with 37 CFR 1.121(c)(2). In claim 4, line 1, "made of" should be indicated as being deleted. In claim 58, lines 4-5, "appendages extending" and "for attaching the disc to sides of target vertebrae" should be underlined. In claim 61, lines 2-3, "100 kiloPascals" should be underlined. In claim 62, lines 2 and 3, "about", both occurrences, should be indicated as being deleted. In claim 63, line 3, "wherein the" should not be underlined. The reply also fails to explicitly indicate (particularly in view of the extensive revisions) the claims that are readable on the elected species, as required in the Office action of January 25, 2006, at page 2, lines 9-11.

Attention is directed to 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dave Willse whose telephone number is 571-272-4762 and who is generally available Monday through Thursday and sometimes on Friday. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Corrine McDermott, can be reached on 571-272-4754. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



Dave Willse
Primary Examiner
Art Unit 3738